Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

The specification has been amended to eliminate some minor obvious errors. No new matter whatsoever has been added.

The claims have been amended to read on a cutting tool as described in the original application text and original claim 7. The invention is not just a material that can be used for whatever, but the use of a particular material for a particular purpose, namely for the manufacture of a cutting tool for chip-removing machining of chromium-containing steel-alloy workpieces. The claims have therefore been limited to this application which is also specifically claimed in hybrid claim 6.

The goal of the instant invention is to provide and use a cutting tool with which chromium-containing steel alloys can be machined. The problem here is that during drilling, milling, or turning austenitic steel alloys there is a sticking of the hard-metal or cermet material of the tool to the workpiece, leading the considerably wear and a sloppy cut. This is avoided with a cutting tool having the composition of claim 1, in particular when used on a workpiece having a chromium content that is equal to or greater than that of the tool.

The claims stand rejected on the combination of two references, namely US 6,602,312 of Ederyd and WO 96/21052 of Mikus.

Ederyd is nonanalogous art. This reference relates to a seal ring for a water installation. There is no way a person looking for guidance in the manufacture of a cutting tool would go to the seal art. The seal of Ederyd is operating at much lower temperatures than the extremely elevated ones, about 1000°C, for a cutting tool. In addition wear is not a significant problem. Instead the Ederyd system is designed primarily to resist corrosion, something that is, at best, a secondary problem for a cutting tool that normally operates in a film of oil that largely protects it from corrosion. The Ederyd references offers no teachings logically applicable to the now-claimed cutting tool.

Mikus does indeed relate to nonanalogous art, but not in a situation where the hard-metal or cermet cutting tool will stick to the workpiece. As described in page 2, lines 3 to 6, it is necessary to coat the tool to protect it. This type of coated tool is avoided by the "consisting of" language of amended claim 1, in that, if the coating of Mikus were included in the composition of the tool, it would come nowhere near meeting the language of claim 1. The Mikus tool "consists of" the core material and the coating material.

No rejection on the combination of Mikus and Ederyd is possible. First, it would not be obvious to combine the teachings of a patent relating to a cutting tool with one relating to a static seal. Second, the Mikus system is exclusively related to "a coated cemented carbide" that, without the coating it does not come near anticipating this invention. A §103 rejection on these two references is impossible.

Finally it is pointed out that nowhere is there any suggestion to machine a chromium-containing steel alloy with a tool of the described compensation where care is taken that the chromium content of the tool is equal to or less than that of the workpiece. This invention is in an of itself patentable.

Thus all of the claims in the case are in condition for allowance. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this

case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,
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Enclosure: Corrected Version of filed translation
Substitute Specification
Substitute Abstract